

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PNC Bank, N.A.,)	
)	
Plaintiff,)	
)	
-v-)	Case Number: 08 C 877
)	
Scala Packing Company, Inc.)	Judge: Coar
)	
Defendant.)	

REPORT OF PARTIES' PLANNING CONFERENCE

Pursuant to this court's order, Edward S. Margolis representing plaintiff and George P. Apostolides representing defendant met on April 11, 2008 pursuant to Rule 26(f) to discuss:

- (1) the nature and basis of their claims and defenses;
- (2) the possibilities for a prompt settlement or resolution of this case;
- (3) to make or arrange for the disclosures required under Rule 26(a)(1); and
- (4) to develop a discovery plan.

To that end, the parties proposed the following:

- A. The issues in this case may be simplified by taking the following steps:
 1. The parties believe that the issues in this case as set forth in the pleadings and discoverable subjects described in Section C are limited in scope. Therefore no additional steps need be taken to simplify the issues in the case.
- B. The following modifications to the discovery requirements of the Federal Rules of Civil Procedure or local Rules should be made in order to expedite discovery:
 1. Limit document production to written communications between and among Cattlemen's, PNC, and Scala and all documents governing the relationship between any of those three entities.
- C. Discovery will be needed on the following subjects:
 1. Validity of the alleged Collateral Assignment to PNC;
 2. Amount of debt owed by Defendant;

3. Whether Plaintiff and Cattleman's performed all obligations required by them;
 4. What interest and costs, if any, are owed.
- D. Discovery should not be conducted in phases.
- E. Discovery is likely to be contentious and management of discovery should be referred to the Magistrate Judge. Yes _____ No X
- F. The parties do not consent to this matter being referred to the Magistrate Judge for final disposition.
- G. The parties have discussed the possibility of alternative dispute resolution and concluded it would not be useful at this time. The parties believe that alternative dispute resolution could be useful in the future.
- H. The parties have discussed a prompt settlement or other resolution of this matter. The plaintiff has made a written demand of \$816,721.42, and the defendant has not made an offer at this time.
- I. The Court should consider the following methods of expediting the resolution of this matter: None at this time.

/s/ Edward S. Margolis

Attorney for Plaintiff

/s/ George P. Apostolides

Attorney for Defendant

Judge Coar

United States District Judge